



City Manager's Office
City of Frisco, Texas

Memorandum

To: Honorable Mayor Maso and Members of the Frisco City Council

Cc: George A. Purefoy, City Manager

From: Ron Patterson, Assistant City Manager

Date: 03/19/2010

Agenda Caption: Consider and Act Upon Request for Noise Variance from Mario Sinacola for night time paving operations on Preston Road.

Action Requested: The contractor building the northern section of Preston Road between Eldorado Parkway and Highway 380 is seeking permission to conduct paving operations at night and is requesting a variance under Article IV, Section 54 – Noise of the Code of Ordinances.

Background Information: The relevant regulation is contained in Article IV, Sec. 54-90(b)(6) *Construction/maintenance work*. a. which states “*Operating or permitting to be operated any equipment used in construction, maintenance, repair, alteration or demolition work on buildings, structures, streets, alleys, lawns, golf courses or appurtenances thereto and/or the erection, including excavation, demolition, alteration or repair of any building within a residential district or quiet zone, or within 500 feet of any residence or quiet zone, in such a manner as to cause a noise disturbance. Furthermore, any such activity shall create a noise disturbance per se if conducted between the hours of 10:00 p.m. and 7:00 a.m.*”

The work will require lane closures in order to accomplish the paving. If completed during the day they will be required to reduce traffic to one lane with a flagman at each end allowing one-way traffic for the entire period. The purpose of the proposed night work will allow for Preston Road lane closures at night when traffic is minimal and only traffic needing to access the effected properties will be allowed to use the one open lane. Additionally, this proposal will allow for the work to be completed in approximately five days versus approximately ten days.

The proposal is to allow paving during the hours of 7:00 PM until 6:00 AM on the following dates (subject to weather) Wednesday – March 31st, Thursday – April 1st, and then on Monday, Tuesday and Wednesday – April 5th, 6th, and 7th for a total of five (5) days/nights. The proposal is further broken into sections to be paved each night. By examining the first page (provides a proposal overview) of the attached exhibits you will note that proposed work area starts north of the Latera subdivision. Below is a quick summary of where the proposed sections start and end with proposed dates:

	Date	Start	Stop
Section 1	March 31 st	Roach Business Park	Panther Creek Pkwy
Section 2	April 1 st	Panther Creek Pkwy	CR24
Section 3	April 5 th	CR24	Rockhill Rd
Section 4	April 6 th	Rockhill Rd	CR20
Section 5	April 7 th	CR20	Just South of 380 exit

There needs to be one correction to the letter submitted by the contractor which relates to one (1) residence being within 500ft of the project. This is not correct. The attached exhibits show the actual distances to residences as well as businesses along the corridor. The most impact will be on those residences reflected in Segment 4 with the closest being 100ft away. However, the contractor will start at the south end of each of the segments and work north. This means that the contractor will begin work in this area around 7:00 PM and move north away from this closest residence as the night progresses.

Board Review/Citizen Input: NA

Alternatives: Deny the variance request and require all work be completed outside of the restricted hours.

Financial Considerations: NA

Legal Review: NA

Supporting Documents:

- Letter requesting variance.
- Exhibits reflecting proposed night time sections.

Staff Recommendation: Staff recommends approval of the proposed plan.